

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Yamanaka et al.

Examiner: Krueger, K.

Serial No.: 08/855,905

Group: Art Unit 1773

Filed: May 14, 1997

Docket: 443-17

For: SYNTHETIC PAPER MADE  
OF STRETCHED  
POLYPROPYLENE FILM

Date: March 1, 2001

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Assistant Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Please enter the following Amendment in the above-identified application

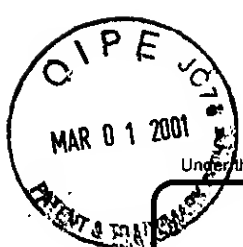
IN THE CLAIMS:

Cancel Claim 28 without prejudice and amend Claim 1 as presented on  
the attached page:

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this Preliminary Amendment is being deposited with the United States Postal Service on this date March 1, 2001 an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL484185695US addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

George M. Kaplan



03-02-01

CPA/1773

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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
☐ DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	443-17
First Named Inventor	Yamanaka
Examiner Name	Kruer, K.
Group Art Unit	1773
Express Mail Label No.	EL484185695US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),

(continued prosecution application (CPA)) of prior application number 08 / 855,905

filed on May 14, 1997, entitled SYNTHETIC PAPER MADE OF STRETCHED POLYPROPYLENE ...

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
.....
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed: 03/05/2001 GTEFFERA 00000122 08855905
  - ☐ PTO-1449 01 FC:131 710.00 OP
  - ☐ Copies of IDS Citations 02 FC:103 18.00 OP

### CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL484185695US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Dated: March 1, 2001

George M. Kaplan

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))	21	-20* =	1	x \$ 18 =	\$ 18.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	2	-3** =	0	x \$ 80 =	0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 0 =	0.00
				BASIC FEE (37 CFR 1.16)	\$710.00
				Total of above Calculations =	\$728.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Reissue claims in excess of 20 and over original patent.					
** Reissue independent claims over original patent.					
				TOTAL =	\$728.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 04-1121:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ \$728.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(i) enclosed).
11. ☐ New Attorney Docket Number, if desired \_\_\_\_\_  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: Draft of Supplemental Declaration

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		or <input checked="" type="checkbox"/> New correspondence address below			
(Insert Customer No. or Attach bar code label here)					
Name	Rocco S. Barrese, Esq.				
Address	DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd.				
City	Uniondale	State	New York	Zip Code	11553
Country	US	Telephone	(516) 228-8484	Fax	(516) 228-8516

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print IType)	George M. Kaplan, Esq.
Signature	<i>George M. Kaplan</i>
Registration No. (Attorney/Agent)	28,575
Date	March 1, 2001